

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 18, 2008

To: Persons on the Attached Mailing List (by mail and facsimile as indicated)

Re: Appeals of the Executive Director's Use Determinations assigned numbers 06-11002 and 06-11004 regarding Houston Pipeline Company; TCEQ Docket Nos. 2007-0961-MIS-U and 2007-0962-MIS-U.

This letter is to notify you that the Texas Commission on Environmental Quality (TCEQ or Commission) will consider the above-described appeals and all related filings during the Commission's public meeting scheduled to begin at **9:30 A.M. on Wednesday, April 2, 2008.**

During the public meeting, the Chief Appraisers or their representative may speak first and save part of their time for rebuttal since the Chief Appraisers have filed the appeals at issue here. The Chief Appraisers (or their representative) have eight minutes for their oral presentations, including the time for rebuttal argument. If the Chief Appraisers as well as their representative decide to address the Commission, the eight minutes is to be divided among themselves as they choose. The Applicant (or its representative) may speak next, followed by the Executive Director (or his representative), and thereafter, the Office of Public Interest Counsel. The Applicant, the Executive Director, and the Office of Public Interest Counsel each have a total time of five minutes for their oral presentations.

If you have any questions about the public meeting or related matters, please contact me at 512-239-6575.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Sedberry".

John Sedberry  
Assistant General Counsel

CHIEF CLERKS OFFICE  
2008 MAR 18 AM 10:58  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Mailing List

Mailing List  
Houston Pipeline Company  
TCEQ Docket Nos. 2006-0961-MIS-U and 2006-0962-MIS-U

Terry W. Decker, RPA, CCA, RTA  
Chief Appraiser  
Rusk County Appraisal District  
P. O. Box 7  
Henderson, Texas 75653-0007  
903/657-3578 FAX 903/657-9073

Loyd Adams  
Chief Appraiser  
Panola County Appraisal District  
2 Ball Park Road  
Carthage, Texas 75633  
903/693-2891 FAX 903/693-8229

Pritchard & Abbot, Inc.  
Engineering Services Department  
4900 Overton Commons Court  
Fort Worth, Texas 76132-3687  
817/926-7861 FAX 817/927-5314

Greg Maxim  
Property Tax Advisory Services  
Duff & Phelps LLC  
111 Congress, Fourth Floor  
Austin, Texas 78701  
512/391-4984 FAX 512/391-6814

Houston Pipeline Company  
800 E. Sonterra Blvd, Suite 400  
San Antonio, Texas 78258  
210/4037300 FAX 210/403-7500

Ron Hatlett  
TCEQ Small Business &  
Environmental Assistance Division MC 110  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3100 FAX 512/239-3165

D. A. Chris Ekoh  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606

Garrett Arthur  
TCEQ Office of Public Interest Counsel MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-6363 FAX 512/239-6377

Docket Clerk  
TCEQ Office of Chief Clerk MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3300 FAX 512/239-3311

Bridget Bohac  
TCEQ Office of Public Assistance MC 108  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-4000 FAX 512/239-4007

Kyle Lucas  
TCEQ Alternative Dispute  
Resolution Program MC 222  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0687 FAX 512/239-4015

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
H. S. Buddy Garcia, *Commissioner*  
Glenn Shankle, *Executive Director*



TEXAS  
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QUALITY

2007 AUG 23 PM 3:06

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY CHIEF CLERKS OFFICE

*Protecting Texas by Reducing and Preventing Pollution*

August 23, 2007

To: Persons on the Attached Mailing List (by mail and facsimile as indicated)

Re: Appeal of the Executive Director's Use Determinations assigned numbers 06-11002 and 06-11004 regarding Houston Pipeline Company; TCEQ Docket Nos. 2007-0961-MIS-U and 2007-0962-MIS-U.

The above-referenced appeals (Appeals) were filed by Terry W. Decker, RPA, CCA, RTA, Chief Appraiser for the Rusk County Appraisal District and Loyd Adams, Chief Appraiser, for the Panola County Appraisal District. With regard to TCEQ Use Determination No. 06-11002, Mr. Decker states that it is the District's belief that some, if not most, of the equipment mentioned in the dialectic coatings and pig launching/receiving equipment is production equipment that does not qualify for a property tax exemption as pollution control property. With regard to TCEQ Use Determination 06-11004, Mr. Adams states similarly that it is the District's belief that some, if not most, of the equipment mentioned in the dialectic coatings and pig launching/receiving equipment is production equipment that does not qualify for a property tax exemption as pollution control property.

This letter is to notify the Applicant, Houston Pipeline Company, the Executive Director, and the Office of Public Interest Counsel (OPIC) of the opportunity to file a response brief on the two appeals, and to notify the two Chief Appraisers of the opportunity to file reply briefs to any response briefs. A copy of the Appeals, if needed, may be obtained by contacting the Agenda Docket Clerk, Office of Chief Clerk (OCC), by either calling 512-239-3300, or writing the Agenda Docket Clerk, at TCEQ Office of Chief Clerk MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Since the Commissioners must base their decision on the applicable law, we request all response and reply briefs refer to the applicable statute(s) or agency rules that support the position taken in the legal response or reply brief. All legal briefs thus should provide in full the legal and factual reasoning relied upon to support the position that a partial or full exemption is or is not available.

The Applicant or its representative, the Executive Director, or the OPIC may file a response brief on or before **5:00 P.M. on Friday, September 28, 2007**. The Chief Appraisers or their representatives may file reply briefs to any responses on or before **5:00 P.M. on Friday, October 19, 2007**. To be considered timely, an original and eleven copies of any response or reply brief must be received in the OCC on or before the applicable 5:00 P.M. deadline. All responses and replies filed with the OCC should be addressed to the attention of the Agenda Docket Clerk and be marked with the TCEQ Docket number provided above.

On the same day as a response or reply brief is mailed to the OCC, the responding party must mail a copy of their brief to the other parties involved in briefing this matter. The enclosed mailing

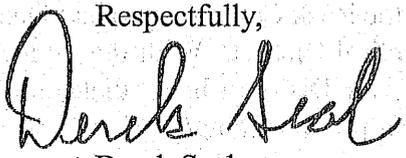
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OFFICE OF THE ATTORNEY GENERAL

list has the mailing addresses of the Applicant, the Chief Clerk, the Executive Director (Les Trobman), and the OPIC (Blass Coy). Please provide Ronald L. Hatlett a copy of any response and reply brief as well. After receipt of the briefs, you will be notified by subsequent letter of the public meeting during which the TCEQ Commissioners will consider this matter.

Chapter 17 of the Commission's rules (30 Texas Administrative Code Chapter 17) contains the requirements applicable to Use Determinations, including the rules that address the review standards and appeals process. The website of the Texas Secretary of State contains a complete copy of the Texas Administrative Code, including Title 30, Chapter 17, at [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.viewtac](http://info.sos.state.tx.us/pls/pub/readtac$ext.viewtac).

If you have any questions about the briefing schedule or related matters, please contact Celeste A. Baker, Assistant General Counsel, at 512/239-5527.

Respectfully,



Derek Seal  
General Counsel

**Mailing List**

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Mailing List  
Houston Pipeline Company  
TCEQ Docket Nos. 2006-0961-MIS-U and 2006-0962-MIS-U

Terry W. Decker, RPA, CCA, RTA  
Chief Appraiser  
Rusk County Appraisal District  
P. O. Box 7  
Henderson, Texas 75653-0007  
903/657-3578 FAX 903/657-9073

Loyd Adams  
Chief Appraiser  
Panola County Appraisal District  
2 Ball Park Road  
Carthage, Texas 75633  
903/693-2891 FAX 903/693-8229

Pritchard & Abbot, Inc.  
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Fort Worth, Texas 76132-3687  
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Greg Maxim  
Property Tax Advisory Services  
Duff & Phelps LLC  
111 Congress, Fourth Floor  
Austin, Texas 78701  
512/391-4984 FAX 512/391-6814

Houston Pipeline Company  
800 E. Sonterra Blvd, Suite 400  
San Antonio, Texas 78258  
210/4037300 FAX 210/403-7500

Ron Hatlett  
TCEQ Small Business &  
Environmental Assistance Division MC 110  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3100 FAX 512/239-3165

Les Trobman  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606

Blas Coy  
TCEQ Office of Public Interest Counsel MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-6363 FAX 512/239-6377

Docket Clerk  
TCEQ Office of Chief Clerk MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3300 FAX 512/239-3311

Bridget Bohac  
TCEQ Office of Public Assistance MC 108  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-4000 FAX 512/239-4007

Kyle Lucas  
TCEQ Alternative Dispute  
Resolution Program MC 222  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0687 FAX 512/239-4015